

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

FILED
IN CLERKS OFFICE
2002 MAR 11 P 11:28
U.S. DISTRICT COURT
DISTRICT OF MASS.

JENNIFER CHADWICK,
Plaintiff,

v.

WELLINGTON MANAGEMENT
COMPANY,
Defendant.

Civil Action No. 02-10344-REK

ANSWER

Defendant Wellington Management Company, LLP ("Wellington") hereby answers the allegations in the Complaint as follows:

1. Wellington admits that Plaintiff is a woman and denies knowledge or information sufficient to form a belief as to the truth of the remaining allegations in Paragraph 1.

2. Wellington admits the allegations in Paragraph 2.

3. Wellington admits the allegations in the first sentence of Paragraph 3.

Wellington admits that Plaintiff took a maternity leave from September to December 1998 and denies the remaining allegations in the second sentence of Paragraph 3.

4. Wellington denies that Plaintiff was "prompted" to the position of Electronic Publishing Specialist. Wellington answers further that Plaintiff was promoted to that position in January 1999.

5. Wellington admits that Plaintiff missed many days of work in 1999 and denies the remaining allegations in the first sentence of Paragraph 5. Wellington denies the allegations in the second and third sentences of Paragraph 5.

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6. Wellington admits the allegations in Paragraph 6.

7. Wellington denies the allegations in Paragraph 7.

8. Wellington admits the allegations in the first sentence of Paragraph 8.

Wellington denies the remaining allegations in Paragraph 8.

9. Wellington denies the allegations in Paragraph 9.

10. Wellington denies the allegations in Paragraph 10.

11. Wellington denies the allegations in Paragraph 11.

12. Wellington admits the allegations in Paragraph 12.

13. Wellington denies knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 13.

14. Wellington denies the allegations in Paragraph 14.

15. Wellington denies the allegations in Paragraph 15.

16. Paragraph 16 states conclusions of law to which no answer is required.

COUNT I – M.G.L. c. 151B

17. Wellington restates its answers to Paragraphs 1 through 16 and incorporates them by reference herein.

18. Wellington denies the allegations in Paragraph 18.

19. Wellington denies the allegations in Paragraph 19.

COUNT II – M.G.L. c. 149 sec. 105D

20. Wellington restates its answers to Paragraphs 1 through 19 and incorporates them by reference herein.

21. Wellington denies the allegations in Paragraph 21.

22. Wellington denies the allegations in Paragraph 22.

COUNT III – FMLA

23. Wellington restates its answers to Paragraphs 1 through 22 and incorporates them by reference herein.

24. Wellington denies the allegations in Paragraph 24.

25. Wellington denies the allegations in Paragraph 25.

WHEREFORE, Wellington requests that the Court enter a judgment in its favor, and against Plaintiff, on each Count of the Complaint.

FIRST AFFIRMATIVE DEFENSE

Each and every Count of the Complaint fails to state a claim upon which relief can be granted.

SECOND AFFIRMATIVE DEFENSE

Plaintiff has failed to mitigate her damages.

THIRD AFFIRMATIVE DEFENSE

Defendant hereby asserts all other affirmative defenses as may become available to it during the course of this litigation and reserves its right to amend this Answer to assert any affirmative defenses not presently known to it.

WELLINGTON MANAGEMENT
COMPANY, LLP

By its attorneys,

CERTIFICATE OF SERVICE

I hereby certify that on this day a true copy of the above document was served upon the attorney of record for each party by mail /-by hand-

Date: 3/11/02

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Dated: March 11, 2002